

# EXHIBIT 2

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IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS  
STATE OF MISSOURI

Case No. 1522-CC00419-02

Division 10

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VICKIE FORREST, et al.,

Plaintiffs,

vs.

JOHNSON & JOHNSON, et al.,

Defendants.

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REMOTE DEPOSITION OF  
WILLIAM E. LONGO, Ph.D.

Monday, February 8, 2021

Court Reporter: Michelle M. Boudreaux, RPR

1 Q Okay. Let's go back to chrysotile for a  
2 second, then.

3 So how do you refer to your heavy liquid  
4 density separation method for chrysotile, just so we  
5 use the same language?

6 A The preparation is -- I call it the CSM  
7 method. For the analysis, we're using the ISO 22262-1  
8 method. But just the preparation, we're using what CSM  
9 laid out. We're not using iodine anymore. That did  
10 not work on the size of the chrysotile bundles, either  
11 for the Calidria or what's being found in the Johnson &  
12 Johnson -- well, it's just not Johnson & Johnson. Any  
13 manufacturer that used Chinese-sourced talc, as well as  
14 Italian-sourced, Vermont -- well, we haven't really  
15 done that many Vermonts. Mostly for Johnson & Johnson,  
16 we have primarily been looking at Chinese-sourced, and  
17 I think we have one that was Vermont-sourced.

18 Q So help me understand that. When you say  
19 that iodine wasn't working, was it not staining the  
20 type of chrysotile that you are finding in these talc  
21 products, or what was happening that was causing the  
22 iodine not to work?

23 A Well, it works fine on the 1866b chrysotile  
24 standards that we initially were using as a standard.  
25 But it's not really a stain as much as it absorbs into

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1           you look at it, the bundle will have a  
2           certain color or wavelength. Depending how  
3           uniform the bundle is, it could be all the  
4           same color, but usually you'll get a little  
5           bit different color at the edges versus in  
6           the middle of the bundle. So they're sort of  
7           a goldish-orange, sometimes a little bit more  
8           yellow if they're a little higher on the  
9           chart, and that would be -- the first thing  
10          you do is in parallel. Parallel dispersion,  
11          parallel to the optics.

12          Q        (By Mr. Dubin) I'm trying to do this step by  
13          step. So I'm just asking simple questions, so --

14          A        Okay. I'll try to give simple answers.

15          Q        Right. So the analyst is looking at the  
16          color of what they're seeing in the immersion oil?

17          A        Yes.

18          Q        Okay. And then based on that analyst's  
19          judgment, then they are going to a table and looking up  
20          that color and finding what information?

21          A        Well, if they're fairly new analysts, they're  
22          looking at the table a lot. If they're not -- if  
23          they're experienced, they may -- they have one up to --  
24          you know, just as a reference. Once they get the  
25          color, they'll go to the table and approximate the --

1 they'll get the wavelength of that particular color.

2 It's a sliding scale depending on your fluid. So

3 they'll get the wavelength.

4 Q You get a wavelength depending on what color  
5 you think it is, right?

6 A What color it is.

7 Q Well, it's based on the judgment of the  
8 analyst what color they think they're seeing, right?

9 MS. O'DELL: Object to the form.

10 THE WITNESS: Well, it's based on what  
11 the analyst sees in the colors. It is a

12 judgment that comes from years and years of

13 experience, like every PLM analyst.

14 Q (By Mr. Dubin) Right. What I'm trying to  
15 get at there, though, for example, if you see a yellow,  
16 an analyst can say "I think it's a pale yellow,"  
17 "I think it's a golden yellow," "I think it's a  
18 yellow," and those might all result in different  
19 wavelengths, right?

20 MS. O'DELL: Object to the form.

21 THE WITNESS: Again, it depends on the  
22 intensity. You can have -- but the  
23 wavelengths are usually -- if you're going  
24 from a golden yellow to a pale yellow -- what  
25 was the third one?

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1 greater. You cannot identify it with 1.550 because you  
2 would be getting out of the range of that fluid.

3 That's why you have two different fluids.

4 1.550 is good for the chrysotile polymorphs,  
5 and it's okay for the fibrous talc as long as you  
6 understand how far it can go up. I'm giving too much  
7 information now. I'm sorry.

8 Q No, I understand. Thank you.

9 I guess, though, just to be clear, you'll  
10 agree that in terms of this part of the process,  
11 determining what the color is and then applying that  
12 color to the wavelength, there's not, for example, a  
13 piece of data that tells you what the color is; that's  
14 the judgment of the analyst?

15 A As with all PLM microscopists in any lab out  
16 there -- I think we'll have something like you're  
17 suggesting in maybe another year; it's one of our next  
18 projects -- that they're making a judgment based on  
19 their experience and time in looking at the colors to  
20 equate to the wavelengths. And once you have a  
21 wavelength, you just look over the side of the chart  
22 and it tells you the refractive indices.

23 Q And, again, it may be that if you don't know  
24 anything about this, we'll have to talk about it in  
25 depth at some other point, but do you -- is it correct

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1 that MAS's identification of chrysotile in the  
2 Johnson & Johnson products, in parallel orientation,  
3 you're typically evaluating it based on the yellow  
4 coloration of the particle?

5 MS. O'DELL: Object to the form.

6 THE WITNESS: Only in parallel. Yellow  
7 to golden yellow. Sometimes you'll see some  
8 red, a little bit of red, but that's the  
9 range we've been seeing.

10 Q (By Mr. Dubin) But typically you're  
11 evaluating it based on yellow, right?

12 MS. O'DELL: Object to the form.

13 THE WITNESS: Well, I can't say  
14 typically.

15 MR. DUBIN: Okay.

16 THE WITNESS: If you want to show me a  
17 photograph of one of our chrysotiles, I can  
18 tell you. But, you know, it depends on the  
19 thickness, it depends on where it was dug out  
20 of the ground, what the chemistry was of that  
21 particular area. So I'm not going to give  
22 you just typically it's yellow.

23 MR. DUBIN: That's fine. We can --  
24 probably not me and you, but maybe you and  
25 Kevin at your Johnson continuation can have

1 chrysotile or talc?

2 MS. O'DELL: Object to the form.

3 THE WITNESS: Well, I would do  
4 dispersion staining, which you have to get  
5 all the optical crystalline information from  
6 it before you do that.

7 Q (By Mr. Dubin) And that's what we've been  
8 discussing previously, right, so --

9 A Yes, sir.

10 Q Okay, so let's not go back there.

11 Have you submitted this PLM method or any of  
12 your PLM results for publication or peer review?

13 A No, sir, I haven't.

14 Q Do you intend to do that?

15 A Yes.

16 Q Do you have any timeline for when you intend  
17 to do that?

18 A If I gave you a timeline, I'm sure that at  
19 some point I would have to say I haven't done it yet.

20 Q Okay. Do you have a timeline in mind?

21 A No.

22 Q I guess I'm curious about that. At least  
23 according to your results, you've come upon a method  
24 that at this point, nearly a hundred percent of the  
25 time, can identify chrysotile and talc. Why aren't you



1 these Grade 7s Canadas in terms of its sizes and shapes  
2 and the like?

3 A Well, what you find in the RG-144, which was  
4 pointed out to me, is that you get very few single  
5 fibers. And we did the air sampling of the RG-144. We  
6 had to go sonicate it to get the individual fibers out.  
7 You can get some very long ones, but the bundles are  
8 pretty consistent.

9 Q Okay. Well, we can talk about it some other  
10 day.

11 So just to make sure that we're on the same  
12 page, at this point, you've been finding -- using --  
13 your technique to identify chrysotile, you've been  
14 finding chrysotile in Chinese-mine-sourced products at  
15 about a hundred percent hit rate?

16 A Yeah, using these CSM sample prep in the  
17 ISO 22262-1, it's not -- those two methods, so far it's  
18 been 100 percent

19 Q Okay. So recently I think you've issued some  
20 reports in the Cashmere Bouquet litigation, looking at  
21 some older containers, and you also found 100 percent  
22 positive rate using your method for chrysotile?

23 A In all their containers, yes.

24 Q And I take it, given the fact that those  
25 containers stretched from 1950s to 1990s, you'd be